

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|--------------------------|---|--------------------------------|
| VERSUS TECHNOLOGY, INC., |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 04-1231 (SLR) |
| v. |) | |
| RADIANCE, INC., |) | |
| |) | |
| Defendant. |) | |
| |) | |

DECLARATION OF HENRY TENARVITZ

I, Henry Tenarvitz, hereby declare under penalty of perjury that the following facts set forth herein are true and correct, and, if called as a witness, I could and would testify competently as set forth below:

1. I am the president of the Plaintiff, Versus Technology, Inc. ("Versus").
2. I have taken various courses from Michigan State University and Northwestern Michigan College studying mathematics, physical sciences and software engineering. I continue to enhance my knowledge base through a process of self teaching and practice.
3. I have 25 years experience in the fields of process engineering, automation software design and manufacturing. I have 10 years experience in the fields of indoor wireless locating equipment design and manufacture, indoor wireless system design and the deployment and the use of indoor wireless systems to automate various processes.
4. It is generally understood in the indoor wireless locating industry that wireless transmitters contain modulators for modulating some or all of the transmission to encode the

signal so that the transmitter signal may be distinguished from background noise or other devices.

5. It is generally understood in the indoor wireless locating industry that, in order to transmit an identifying code that is unique to the transmitter as disclosed in claim 1 of U.S. Patent No. 5,027,314 ("the '314 patent"), only the following structures are necessary: a timer, programmable memory (PROM), and an IR emitter.

6. It is generally understood in the indoor wireless locating industry that processors are components to computers, and other electronic devices, that can be programmed to perform commands and transmit/receive data.

7. It is generally understood in the indoor wireless locating industry that term "processors" may refer to one or more microprocessors and/or a central processor.

8. It is generally understood in the indoor wireless locating industry that processors can be programmed to perform functions, such as recording data (e.g., received signals) or processing data (e.g., determining location).

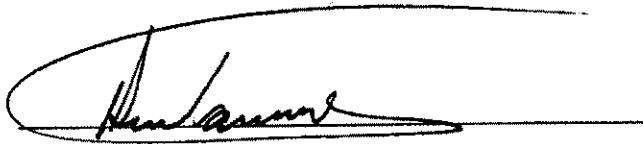
9. It is generally understood in the indoor wireless locating industry that processors can be programmed to record, scan and accumulate data.

10. It is generally understood in the indoor wireless locating industry that signals sent from sensors are electrical signals.

11. It is generally understood in the indoor wireless locating industry that the only structures necessary to send and receive messages over a computer network in a variable-based protocol that implements object identifier variables as disclosed in claim 1 of U.S. Patent No.

5,572,195, are the computer network and control processor or computer disclosed in the claim and the specification.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed this 3rd day of November, 2005.



Henry Tenarvitz